

**STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES**

IN THE MATTER OF THE APPLICATION)	
OF YORK HARBOR OYSTER FOR RENEWAL)	FINDINGS OF FACT,
OF AN AQUACULTURE LOCATED ON THE)	CONCLUSIONS OF LAW AND
YORK RIVER, YORK COUNTY, MAINE)	DECISION

On July 14, 1999, York Harbor Oyster, represented by Kevin Tacy, made application for renewal of an aquaculture lease issued to them on January 1, 1989. The application requested a ten-year renewal to December 31, 2009 of a 3.99 acre shellfish lease located on the York River, York County, Maine.

Notice of the application for lease renewal was published in the January, 2000 and February, 2000 issues of Commercial Fisheries News and the December 29, 1999 and January 12, 2000 issues of the York County Coast Star. Members of the public and interested parties were given to January 28, 2000 to request a hearing on the application for lease renewal. No requests for a hearing on this application were received by the Department either on, or before, January 28, 2000, or at any time subsequent to the date of this decision.

Applications for aquaculture lease renewals are governed by 12 M.R.S.A. §6072(12), which provides that an aquaculture lease may be renewed if the lessee has complied with the original lease agreement during its term, that aquaculture has been conducted on the original lease, and that the renewal will not cause the lessee to be a tenant of any kind in aquaculture leases covering an aggregate of more than 250 acres.

Decision

The Commissioner of Marine Resources grants the application of York Harbor Oyster to renew a 3.99 acre aquaculture lease, located on the York River, York County, Maine, for a period of ten years, to December 31, 2009. In renewal of this lease, York Harbor Oyster is subject to the same terms, conditions, and obligations set forth in the original lease.

Dated: _____

George D. Lapointe (Commissioner)

Department of Marine Resources